

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTHONY BAILEY,

Plaintiff

Case No. 2:20-cv-01709-KJD-VCF

ORDER

v.

N.D.O.C., *et al.*,

Defendants

I. DISCUSSION

On September 23, 2020, this Court ordered Plaintiff to file a fully complete application to proceed *in forma pauperis* or pay the full \$400 filing fee for a civil action on or before November 16, 2020. (ECF No. 3 at 2). On September 29, 2020, Plaintiff filed a second incomplete application to proceed *in forma pauperis*. (ECF No. 4). On Plaintiff's application at ECF No. 4, Plaintiff noted at the bottom of page 1, that he had resubmitted a request for his Financial Certificate on September 28, 2020.

Accordingly, the Court denies Plaintiff's application to proceed in forma pauperis (ECF No. 4) without prejudice because the application is incomplete. The Court will grant Plaintiff **one final extension** of time to file a fully complete application to proceed *in forma pauperis* containing all three of the required documents. Plaintiff shall file a fully complete application to proceed *in forma pauperis*, including a fully executed and current Financial Certificate and an inmate account statement for the previous six-month period, or pay the full \$400 filing fee on or before **January 8, 2021**. Absent unusual circumstances, the Court will not grant any further extensions of time. If Plaintiff does not file a fully complete application to proceed *in forma pauperis* with all three required documents on or before **January 8, 2021**, this case will be subject to dismissal without prejudice for Plaintiff to file a new case with the Court when Plaintiff is able to acquire all three of the documents needed to file a fully complete application to proceed *in forma pauperis* or pays the full \$400 filing fee.

For the foregoing reasons, IT IS ORDERED that Plaintiff's application to proceed *in forma pauperis* (ECF No. 4) is denied without prejudice to file a new fully complete application to proceed *in forma pauperis* with all three documents.

IT IS FURTHER ORDERED that on or before **January 8, 2021**, Plaintiff will either pay the full \$400 filing fee for a civil action (which includes the \$350 filing fee and the \$50 administrative fee) or file with the Court:

- (1) a completed **Application to Proceed in Forma Pauperis for Inmate** on this Court's approved form (i.e. pages 1 through 3 of the form with the inmate's two signatures on page 3),
- (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (i.e. page 4 of this Court's approved form), and
- (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period.**

IT IS FURTHER ORDERED that, if Plaintiff does not file a fully complete application to proceed *in forma pauperis* with all three documents or pay the full \$400 filing fee for a civil action on or before **January 8, 2021**, this case will be subject to dismissal without prejudice for Plaintiff to refile the case with the Court, under a new case number, when Plaintiff has all three documents needed to file a complete application to proceed *in forma pauperis* or pays the the full \$400 filing fee.

IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint (ECF No.1-1) but will not file it at this time.

DATED: 11-24-2020


UNITED STATES MAGISTRATE JUDGE